

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JOSEPH T WEBB

v.

JAMIE TAYLOR

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CIVIL CASE NO. 4:20-CV-021

**MEMORANDUM ADOPTING IN PART AND MODIFYING IN PART**  
**THE REPORT AND RECOMMENDATION OF**  
**THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the magistrate judge pursuant to 28 U.S.C. § 636. On October 28, 2020, the Report, (Dkt. #17), was entered containing proposed findings of fact and recommendations that Plaintiff Joseph T Webb’s Motion to Compel Production of Defendant’s Home Address, (Dkt. #10), be denied and Webb’s claims be dismissed without prejudice. Having received the Report, and no objections thereto having been timely filed, the Court determines that the Report should be adopted in part and modified in part.

Therefore, the Court hereby **ADOPTS** the findings and conclusions of the magistrate judge as to Webb’s Motion to Compel Production of Defendant’s Home Address, (Dkt. #10), as though those findings and conclusions were the Court’s own. It is therefore **ORDERED** that Webb’s motion to compel is **DENIED**.

The Court also hereby **ADOPTS** as though they were the Court’s own findings and conclusions the magistrate judge’s findings and conclusions that Webb’s claims should be dismissed sua sponte for falling under the criteria set forth in 28 U.S.C.

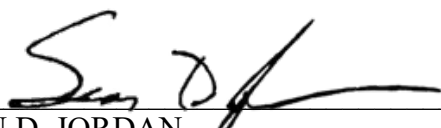
§ 1915A(b) but **MODIFIES** the ultimate disposition as to dismissal without prejudice. Webb's claims that Defendant violated his rights by refusing him access to the law library to research his civil conversion claim fails to state a claim upon which relief may be granted and is frivolous in that it lacks any basis in law or fact. Because Webb's Complaint is patently meritless, the proper disposition is dismissal with prejudice. It is **ORDERED** that Webb's claims are **DISMISSED with prejudice**.

It is further **ORDERED** that Webb's Motion to Disregard Collin County Sheriff's Office Response, (Dkt. #12), Motion for Waiver of Service of Summons, (Dkt. #14), and Motion to Compel a Ruling on Motion to Compel Production of Defendant's Home Address and Motion for Waiver of Service of Summons, (Dkt. #15), are each **DENIED AS MOOT**.

All other relief not expressly granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

**So ORDERED and SIGNED this 8th day of December, 2020.**

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE